

AMENDED IN ASSEMBLY JULY 9, 1998

AMENDED IN ASSEMBLY JUNE 17, 1998

AMENDED IN SENATE APRIL 13, 1998

SENATE BILL

No. 1907

Introduced by Senator Burton

February 19, 1998

An act to amend Section 50474 of, and to add Section 50474.1 to, the Government Code, relating to airports.

LEGISLATIVE COUNSEL'S DIGEST

SB 1907, as amended, Burton. Airports.

Existing law authorizes a local agency to perform various activities, including the exaction of charges, fees, and tolls, in connection with the erection or maintenance of airports and facilities that it may operate.

This bill would additionally authorize a local agency to perform those activities in connection with the improvement or expansion of those airports or facilities. ~~This~~

~~The bill would specify certain terms and requirements that would apply when an airport requires~~ *also provide that an airport operated by a city and county may require* a rental car company to collect a fee from its customers on behalf of the airport for the use of an airport-mandated common use busing system or light rail transit system operated for the movement of passengers between the terminal and a consolidated on-airport rental car facility.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 50474 of the Government Code
2 is amended to read:

3 50474. In connection with the erection,
4 improvement, expansion, or maintenance of such
5 airports or facilities, a local agency may:

6 (a) Regulate the receipt, deposit, and removal, and
7 the embarkation or debarkation of passengers or
8 property to and from such landing places or moorage.

9 (b) Exact charges, fees, and tolls, and enforce liens for
10 their payment.

11 (c) Lease or assign for operation any space and any
12 necessary or useful appurtenances, appliances, or other
13 conveniences.

14 (d) Own and operate aircraft.

15 (e) Employ pilots.

16 (f) Regulate the use of the airport and facilities and
17 other property or means of transportation within or over
18 the airport.

19 (g) Perform any duties necessary or convenient for
20 the regulation of air traffic.

21 (h) Enter into contracts or otherwise cooperate with
22 the federal government or other public or private
23 agencies.

24 (i) Exercise powers necessary or convenient in the
25 promotion of aeronautics and commerce and navigation
26 by air.

27 SEC. 2. Section 50474.1 is added to the Government
28 Code, to read:

29 50474.1. (a) ~~When an airport requires~~ *An airport*
30 *operated by a city and county may require* a rental car
31 company, in writing, to collect a fee from its customers on
32 behalf of the airport for the use of an airport-mandated
33 common use busing system or light rail transit system
34 operated for the movement of passengers between the
35 terminal and a consolidated on-airport rental car facility;
36 ~~all of the following apply:~~ *. If a rental car company is*
37 *required pursuant to this section to collect a fee, the*
38 *following conditions shall apply:*

1 (1) The fees shall be calculated on a per contract basis.

2 (2) All fees collected for this purpose constitute debts
3 owed to the airport by the collecting party. The debts are
4 due and payable to the airport quarterly or at any other
5 interval the airport may establish to facilitate collection
6 and insure payment.

7 (3) The fee is a user fee, not a tax.

8 (4) Revenues collected from the fee may not exceed
9 the reasonable costs of providing the busing and light rail
10 transit service and may not be used for any purpose other
11 than that for which the fees are collected.

12 (b) Notwithstanding any other provision of law,
13 including, but not limited to, Section 1936 of the Civil
14 Code, a rental car company that is required to collect fees
15 under this section shall do all of the following:

16 (1) Collect the fee from those of its customers subject
17 to the fee as required in subdivision (a).

18 (2) Clearly disclose the existence of the fee in any
19 radio, television, or print advertisement that states a
20 rental rate applicable to an airport at which the fee is to
21 be collected, and the amount of the fee at the airport
22 where it is collected, or a range of fees if the fee is
23 collected at more than one airport.

24 (3) Clearly disclose the existence of the fee in a
25 telephonic, in-person, or computer-transmitted
26 quotation that states a rental rate applicable to an airport
27 at which the fee is to be collected and the amount of the
28 fee at the airport where it is collected.

29 (4) Separately identify the fee on its rental agreement.